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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,316	07/19/2001	Daniel Putterman	MEDB.P0001	2016
23349	7590	08/23/2004	EXAMINER	
STATTLER JOHANSEN & ADELI P O BOX 51860 PALO ALTO, CA 94303			SALCE, JASON P	
			ART UNIT	PAPER NUMBER
			2611	
			DATE MAILED: 08/23/2004	

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/910,316

Applicant(s)

PUTTERMAN ET AL.

Examiner

Jason P Salce

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 13.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Art Unit: 2611

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to new claims 27-46 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 5/4/04 was filed after the mailing date of the Non-Final Office Action on 10/27/03. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 27-46 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Humpleman et al. (U.S. Patent No. 6,182,094).

Referring to claim 27, Humpleman discloses coupling a plurality of media devices to a network, said media devices providing a service (see Figure 1 for a DTV 102 (first media device) and DVCR player 110 (second media device))

Art Unit: 2611

connected to a 1394 Serial Bus, which provides a graphical user interface and video, respectively, to a user (see Column 6, Lines 35-37)).

Humpleman also discloses discovering, at a first media device, at least one service provided by a second media device on said network, wherein said service comprises playback of digital content (see Column 6, Lines 58-64 for controlling multiple devices through a GUI used at the DTV 102 and Column 15, Lines 56-62 for discovering that the DVCR can supply the playback of video to a user).

Humpleman also discloses transmitting, over said network, at least one digital content file from a first media device to a second media device (see Column 19, Lines 59-61 for transmitting the video over the network from the DVCR and Column 20, Lines 13-16 for displaying the video sent from the DVCR on the DTV).

Humpleman also discloses processing said digital content file, at said second media device, to generate processed signals suitable for presentation and presenting said processed signals at said second media device to play said digital content file (see Column 20, Lines 13-30).

Referring to claim 28, see Column 22, Lines 22-29 for also providing audio content (such as a CD). Therefore, the system also provides transmission, processing and presentation of audio signals, as well as video signals disclosed in the rejection of claim 27.

Referring to claim 29, see the rejection of claim 27 for the digital content file being transmitted, processed and presented being a video content file.

Art Unit: 2611

Referring to claim 30, see the rejection of claim 27.

Referring to claim 31, Humpleman discloses that the first media device stores a digital content file (see Column 19, Lines 62-65).

Referring to claim 32, Humpleman discloses receiving said digital content file at said first media device from a device external to said first media device (see Column 15, Lines 58-62 for a DVCR being able to "accept video" from an external source).

Referring to claim 33, see the rejection of claim 29.

Referring to claim 34, Humpleman teaches that a digital content file can be stored at the second media device (see Column 19, Lines 11-19).

Referring to claim 35, see the rejection of claim 28.

Referring to claim 36, see the rejection of claim 29.

Referring to claim 37, Humpleman discloses providing a service on a target media device on said network to permit control of said target device (see Column 4, Lines 63-67 for a first device (DTV) fetches a GUI from a second device (DVCR) to allow access to the second device).

Humpleman also discloses discovering said service from a controller media device (DTV) on said network (see the rejection of claim 27).

Humpleman also discloses controlling said target media device from said controller media device (see Column 4, Lines 59-60).

Referring to claim 38, Humpleman discloses storing media on a media device coupled to said network (see the rejection of claim 31).

Humpleman also discloses providing a service on said media device to permit organizing said media (see transmitting a GUI to a controller media device at Column 6, Lines 48-51).

Humpleman also discloses discovering said service from a controller media device on said network (see the rejection of claim 27 for discovering a service of a second device).

Humpleman also discloses organizing said media on said media device from said controller media device (see Dads TV window 706 in Figure 10 and Column 15, Lines 33-55).

Referring to claims 39-40, see the rejection of claims 27 and 32, respectively.

Referring to claim 41, Humpleman discloses making a second network access to a first device (a request after the discovering step in claim 27 has been performed) in order to receive the digital content file (see Column 20, Lines 13-23 for playing a video by selecting a play option of the DVCR displayed on the GUI of the DTV).

Referring to claims 42-46, see the rejection of claims 32, 28-29 and 37-38, respectively.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is

Art Unit: 2611

filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P Salce whose telephone number is (703) 305-1824. The examiner can normally be reached on M-Th 8am-6pm (every other Friday off).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (703) 305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/910,316
Art Unit: 2611

Page 7

August 19, 2004


CHRIS GRANT
PRIMARY EXAMINER